



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In re

CISCO SYSTEMS, INC. SECURITIES  
LITIGATION,

Defendant.

Case No. C 01-cv-20418 JW

CLASS ACTION

**STIPULATION AND ~~PROPOSED~~  
ORDER MODIFYING THE CLASS  
DEFINITION**

This Document Relates To:  
ALL ACTIONS

1 This stipulation is entered into by and among plaintiffs Central States, Southeast and  
2 Southwest Areas Pension Fund, Carpenters Pension Fund of Illinois, Plumbers & Pipefitters  
3 National Pension Fund, and Alexander Nehring, and defendants Cisco Systems, Inc. ("Cisco"), John  
4 T. Chambers, Larry R. Carter, Carol A. Bartz, Steven M. West, Edward R. Kozel, Donald T.  
5 Valentine, Robert L. Puette, Judith L. Estrin, Gary J. Daichendt, Donald J. Listwin, Carl Redfield,  
6 Michelangelo Volpi, and PricewaterhouseCoopers LLP through their respective attorneys of record.

7 WHEREAS, on May 27, 2004, this Court granted plaintiffs' motion to certify a class  
8 consisting of all persons or entities that purchased or acquired Cisco securities between August 10,  
9 1999 and February 6, 2001, at artificially inflated prices;

10 WHEREAS, plaintiffs' expert Dr. Blaine F. Nye has issued reports in which he states that the  
11 first date on which the price for Cisco securities was artificially inflated was November 10, 1999,  
12 and in which he does not include in his damage estimate any damages based upon sales of securities  
13 before February 7, 2001;

14 WHEREAS, in light of the above, the parties agree that the class as presently defined is  
15 overinclusive.

16 IT IS THEREFORE HEREBY STIPULATED by and among plaintiffs and defendants that  
17 the class in this action shall be modified and the new class definition will be as follows:

18 **All persons and entities that purchased Cisco securities between November 10, 1999**  
19 **and February 6, 2001 and held those securities on the last day of that period.**

20 This stipulation is entered into without prejudice to any party's seeking further refinement or  
21 modification of the class definition at a later stage of the proceedings.

1  
2 Dated: March 6, 2006

LERACH COUGHLIN STOIA GELLER RUDMAN  
& ROBBINS LLP

3  
4 By: Spencer A. Burkholz

5 *Attorneys For Plaintiffs Central States, Southeast*  
6 *and Southwest Areas Pension Fund, Carpenters*  
7 *Pension Fund of Illinois, Plumbers & Pipefitters*  
8 *National Pension Fund, and Alexander Nehring*

9 Dated: March 10, 2006

FENWICK & WEST LLP  
WINSTON & STRAWN LLP

10 By: Ronald S. Betman

11 *Attorneys For Defendants Cisco Systems, Inc.,*  
12 *John T. Chambers, Larry R. Carter, Carol A. Bartz,*  
13 *Steven M. West, Edward R. Kozel, Donald T.*  
14 *Valentine, Robert L. Puette, Judith L. Estrin, Gary J.*  
15 *Daichendt, Donald J. Listwin, Carl Redfield, and*  
16 *Michelangelo Volpi*

17 Dated: March 10, 2006

HELLER EHRMAN WHITE & MCAULIFFE LLP

18 By: Norman Blears

19 *Attorneys For Defendant Pricewaterhouse Coopers*

20  
21 IT IS SO ORDERED.

22 Dated: April 14, 2006

23 James Ware  
24 The Honorable James Ware  
25 United States District Court Judge  
26  
27  
28

**CERTIFICATE OF SERVICE**

I, Nancy R. Bultena, hereby declare:

I am over the age of 18 years and not a party to or interested in the within entitled cause. I am an employee of Winston & Strawn LLP and my business address is 101 California, 39th Floor, San Francisco, California 94111. I am employed in the office of a member of the bar of this Court at whose direction the service was made. On the date stated below, I served a true copy of:

**STIPULATION AND [PROPOSED] ORDER MODIFYING  
THE CLASS DEFINITION**

- ☐ by first class mail. I am familiar with the business practice at my place of business for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business. The document(s) was (were) placed for deposit in the United States Postal Service in a sealed envelope(s), with postage fully prepaid, addressed as set forth the attached service list.
- ☒ by facsimile transmission to the parties and facsimile number(s) set forth on the attached service list.
- ☐ by overnight delivery by enclosing a true and correct copy of said document(s) in a Federal Express envelope(s) addressed as set forth on the attached service list. The envelope(s) was (were) sealed and deposited with Federal Express that same day in the ordinary course of business at San Francisco, California.
- ☐ by its agent to the person(s) at the address(es) set forth on the attached service list.
- ☐ by personally handing copies to our messenger service, Western Messenger, for delivery of the document(s) to the person(s) at the address(es) set forth below:

I declare under penalty of perjury, under the laws of the United States of America that the foregoing is true and correct, and that this declaration was executed at San Francisco, California on March 10, 2006.

  
Nancy R. Bultena

SF:71543.1

**CISCO SECURITIES LITIGATION  
SERVICE LIST**

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